

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BERT MEYER,

Plaintiff,

vs.

MATSON NAVIGATION COMPANY,  
INC.; and PACIFIC LIVESTOCK,  
INC.,

Defendants.

CIVIL NO. 1:04cv-00049 JMS-BMK  
(In Admiralty)

DECLARATION OF RANDOLF  
L.M. BALDEMOR; EXHIBITS "A"-  
"P"

**DECLARATION OF RANDOLF L.M. BALDEMOR**

I, RANDOLF L.M. BALDEMOR, declare:

1. I am one of the attorneys representing Defendant Matson Navigation Company, Inc. ("Matson Navigation"), and have personal knowledge of the information contained herein.
2. I am an attorney with the law firm of Goodsill Anderson Quinn & Stifel, LLP, and am licensed to practice law before the courts of the State of Hawaii.
3. Attached hereto as Exhibit "A" is a true and correct copy of Plaintiff Bert Meyer's LS-203, which was filed in connection with his longshore disability claim, regarding the October 1, 2002 accident at issue in this case.

4. Attached hereto as Exhibit "B" is a true and correct copy of a letter dated February 9, 2006 from Thomas E. Irons to John R. Lacy.

5. Attached hereto as Exhibits "C" and "D" are true and correct copies of the front page of Pacific Livestock's bills of lading governing its shipments aboard the *SS Lihue* on October 1, 2002. Exhibits "C" and "D" were previously authenticated and submitted into the court record by and through the Declaration of Steve Rubin, filed on February 14, 2006.

6. Attached hereto as Exhibits "E" and "F" are true and correct copies of the front page of the freight bills governing Pacific Livestock's respective shipments aboard the *SS Lihue* on October 1, 2002. Exhibits "E" and "F" were previously authenticated and submitted into the court record by and through the Declaration of Steve Rubin, filed on February 14, 2006.

7. Attached hereto as Exhibit "G" is a true and correct copy of Defendant Matson Navigation Company, Inc.'s Responses to Plaintiff's Interrogatories Set No. 1.

8. Attached hereto as Exhibit "H" is a true and correct copy of the Second Amended Complaint for Damages, filed on May 25, 2005.

9. Attached hereto as Exhibit "I" is a true and correct copy of pertinent portions of Freight Bill Tariff 14-F, which was in effect on October 1, 2002. Exhibit "H" was previously authenticated and submitted into the

court record by and through the Declaration of Steve Rubin, filed on February 14, 2006.

10. Attached hereto as Exhibit "J" is a true and correct copy of the pertinent pages of the Deposition of Eric Johnson, taken on August 24, 2005.

11. Attached hereto as Exhibit "K" is a true and correct copy of pertinent pages of Matson Navigation Company Policy Number E-01-040. Exhibit "J" was previously authenticated and submitted into the court record by and through the Declaration of John Robinette, filed on February 14, 2006.

12. Attached hereto as Exhibit "L" is a true and correct copy of Plaintiff's Response to Defendant Matson's First Request for Answers to Interrogatories and Production of Documents.

13. Attached hereto as Exhibit "M" is a true and correct copy of Plaintiff's First Amended Response to Interrogatory No. 11.

14. Attached hereto as Exhibit "N" is a true and correct copy of the pertinent pages of the Deposition of Robert Riley, taken on August 25, 2005.

15. Attached hereto as Exhibit "O" is a true and correct copy of the pertinent pages of the Deposition of Bert Meyer, taken on August 31, 2004.

16. Attached hereto as Exhibit "P" is a true and correct copy of a transmittal dated October 6, 2005, which was submitted to Pacific Livestock's counsel with all documents that had been exchanged between Matson Navigation

and Plaintiff Bert Meyer through discovery. Matson Navigation agreed to produce the documents voluntarily, rather than require Pacific Livestock to pursue formal discovery, so that Pacific Livestock could become familiar with relevant materials in advance of a mediation that, at the time, was scheduled for October 26, 2005, but was later rescheduled for January 11, 2006.

I declare the foregoing under penalty of perjury under the laws of the United States.

DATED: Honolulu, Hawaii, February 17, 2006.

/s/ Randolph L.M. Baldemor  
RANDOLF L. M. BALDEMOR